

**REGULAR MEETING OF THE COMMON COUNCIL  
OF THE CITY OF PLATTSBURGH, NEW YORK**

January 30, 2014

**5:30 P.M.**

**AGENDA**

**Present:** Mayor James Calnon, Councilors Rachelle Armstrong (W1), Mike Kelly (W2), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

**Absent:**

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**1. MINUTES OF THE PREVIOUS MEETING:**

**RESOLVED:** That the Minutes of the regular meeting of the Common Council held on January 16, 2014 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

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**2. PAYROLLS OF VARIOUS DEPARTMENTS:**

**RESOLVED:** That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending January 22, 2014 in the amount of \$ 254,843.93 and January 29, 2014 in the amount of \$ 263,848.49 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

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**3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:**

- Report of Fire and Ambulance Responses for the weeks of January 16 – January 29, 2014
- Report from the Building Inspector's January 28, 2014
- Report of Public Hearing held by the Zoning Board of Appeals on January 21, 2014

**RESOLVED:** That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

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**4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None**

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**5. AUDIT OF CLAIMS:**

**RESOLVED:** That the bills Audited by the Common Council for the weeks ending January 22, 2014 in the amount of \$ 1,177,003.73 and January 29, 2014 in the amount of \$ 946,505.61 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

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**6. PERSONS ADDRESSING COUNCIL:**

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**7. OTHER ITEMS:**

**RESOLUTION – SELECTION OF PLATTSBURGH CITY MARINA DEVELOPER-OPERATOR; AUTHORIZATION FOR INTERIM OPERATING AGREEMENT**

**Whereas,** on December 13, 2013 the City published public notice of a Request for Proposals from persons interested in developing and operating a City owned marina at the easterly end of Dock Street and leasing a City building at such location; and

**Whereas,** on or before January 8, 2014, proposals were received from two parties: NAV MARINE MANAGEMENT (INCORPORATED) and PLATTSBURGH BOAT BASIN INC.; and

**Whereas,** the responses to the RFP were reviewed and evaluated on January 13, 2014 by an ad hoc committee composed of three members of the Common Council, three City department heads and two private citizens; and

**Whereas,** the committee has submitted an evaluation report to the Common Council dated January 15, 2014, which has been reviewed and considered by the Common Council; and

**Whereas,** in view of the time required to specify and bid equipment purchases and building improvements, it may not be possible to fully develop the Plattsburgh City Marina (primarily building improvements) for the 2014 boating season, however, it appears to be possible to develop and operate part of the facility (primarily moorings and some docks) in 2014; and

**Whereas,** the Common Council wishes to move forward with the development of a Plattsburgh City Marina in 2014, now therefore it is

SPECIFY IF MOTION IS FOR A OR B

**A. RESOLVED:** That the proposal of NAV MARINE MANAGEMENT (INCORPORATED) is accepted for the reasons set forth in the ad hoc committee report dated January 15, 2014 which are incorporated by reference and a copy of said report is made a part of this resolution and the minutes of this meeting.

**B. RESOLVED:** That the proposal of PLATTSBURGH BOAT BASIN INC. (PBB) is accepted for the following reasons:

1. PBB offers the greatest financial return to the City.
2. PBB has more trained personnel and equipment to meet the operational needs of a marina facility.
3. Possible conflicting interests between the City and PBB, as noted in the committee report, can be addressed in the operating agreement between the parties.

**C. FURTHER RESOLVED:** The Mayor is authorized to sign an “Interim Operating Agreement” with the chosen Plattsburgh City Marina Developer-Operator which incorporates the following terms and such other terms as he and the corporation counsel deem advisable, provided that, a material change in the following terms shall require prior Common Council approval and a committee of the Council composed of three councilors appointed by the Mayor may determine whether a change is material.

1. The purpose or intent of the Interim Operating Agreement is to provide assurances to the chosen developer-operator that the City of Plattsburgh will in good faith negotiate and enter into a 15 year Operating Agreement which includes the terms of the RFP and the response to the RFP, provided that, the economic terms and project improvements of the final Operating Agreement will be determined upon specifications and receipt of bids for equipment and property improvements and will be subject to final Common Council approval which will not be unreasonably withheld.
2. Upon the receipt of required permits and the installation of moorings and docks by the chosen developer-operator and the receipt of insurance certificates with coverages the City deems sufficient to protect its interests, the City will permit such moorings and dock space to be leased by the operator at market rates taking into consideration the facilities provided.
3. Preference in leasing boat mooring and docking space shall be given to boat owners who charter or lease boats for short term use by the public.
4. The operator shall provide portable bathroom facilities for marina and park users and provide trash receptacles and collection services for marina customers.
5. The City will adopt parking regulations for the parking area adjacent to the marina which the operator may be required to enforce.
6. The operator shall maintain books and records for all income and expenses incurred in developing and operating the marina which shall be made available to the City for inspection or audit.
7. During the interim operating period, the operator will pay the City 15% of gross revenue from Mooring and Dock space rental.

8. If the developer operator purchases docks, moorings, necessary equipment or makes capital improvements to the City's real property, such costs will be documented with cancelled checks or receipts and the cost thereof shall be amortized, with interest at the rate paid on city bonds plus 2%, over the estimated useful life or 15 years, whichever is less. These costs are referred to herein as "Development Investment Cost".
9. If the interim operator and City are unable to reach agreement on the terms of a Final Operating Agreement, the City shall purchase the interim operator's unamortized Development Investment Cost by making payments in quarterly installments over the remaining amortization period, provided however, that the terms of such purchase are subject to Common Council approval.
10. The interim operating agreement shall include a schedule for completing all improvements so that the City marina is fully improved and operational for the 2015 boating season.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**D. RESOLUTION ABANDONING SECTION OF FORMER CITY STREET KNOWN AS NEVADA OVAL WEST**

**Whereas**, on July 29, 2004 the Planning Board of the City of Plattsburgh approved the Lake Forest/Pine Harbour Subdivision 2004 of Lots A, B, C, D, E, which approval included the proposed transfer of a section of a street known as Nevada Oval West to the adjoining land owners; and

**Whereas**, the owner of subdivision lot E, Community Providers Inc., has entered into a contract to sell lot E subject to the transfer of the City of Plattsburgh's right, title and interest in that section of Nevada Oval West that crosses subdivision lot E.; and

**Whereas**, Pursuant to City Code § 241-7, the City of Plattsburgh has published notice of its intent to consider the abandonment request and has given notice to the adjoining owner, Community Providers Inc.; now therefore, it is

**RESOLVED:** That the Common Council of the City of Plattsburgh finds:

1. The street, alley, or right of way provides access only to a single lot or parcel of land;
2. The street, alley, or right of way has not been used by the public for vehicular or pedestrian access to a public street or other public property for six or more consecutive years.

3. The City Engineer advises, and the Common Council concurs and finds, that such street, alley, or right of way is not likely to be needed for a public purpose, including access, now or at any time in the foreseeable future; further

**RESOLVED:** that the City of Plattsburgh hereby abandon's all right title and interest in and to that section of Nevada Oval West that crosses subdivision lot E, subject to the following condition: that the deed or other instrument conveying the City's interest in said property contain a right of reverter that provides in substance that if said parcel of land should apply for and receive an exemption from real property taxes, except such exemptions as are available to owner occupants of single family homes, title to said property shall revert to the City of Plattsburgh; further

**RESOLVED:** the corporation counsel shall determine the form and language of the conveyance to accomplish the intent of this resolution; further

**RESOLVED:** the person to whom said parcel of land is conveyed shall pay all costs incurred by the City in making such conveyance.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**E. RESOLVED:** In accordance with the request therefore the Common Council approves continuing the contract with ELMORE SPCA for animal shelter services for 2014 for the total cost of \$10,868 and there is no increase in cost from 2013

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**F. RESOLVED:** In accordance with the request therefore the Common Council approves continuing the contract with James Burgess as the Nuisance Animal Control Officer for 2014 for the total cost of \$25,000 and there is no increase in cost from 2013.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**G. RESOLVED:** In accordance with the request therefore the Common Council approves continuing the agreement with Ron Santor as the 2014 Basic Academy Director for the total cost of \$15,000 and there is no increase in cost from 2013.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**H. THE MAYOR HANDS DOWN THE APPOINTMENT OF CITY HISTORIAN TO JOHN KRUEGER EFFECTIVE FEBRUARY 1, 2014 TO JANUARY 31, 2017.**

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**I. THE MAYOR HANDS DOWN THE APPOINTMENT OF KERI MACK TO THE LIBRARY BOARD FOR THE TERM OF JANUARY 31, 2014 TO JUNE 30, 2017.**

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**J. THE MAYOR HANDS DOWN THE APPOINTMENT OF MARK TIFFER TO THE PLANNING BOARD FOR A TERM EXPIRING JANUARY 31, 2016.**

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**K. THE MAYOR HANDS DOWN THE APPOINTMENT OF GERALD HOFFMEISTER TO THE PLANNING BOARD FOR A TERM EXPIRING JANUARY 31, 2021.**

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**L. RESOLVED:** In accordance with the request therefore the Common Council approves the Municipal Lighting Department be permitted to proceed with the write-off of unpaid final bills for the period October 1, 2012 to October 31, 2012 in the amount of \$2,276.35. The percentage of write-offs for this period is .24%.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**M. RESOLVED:** In accordance with the request therefore the Common Council approves a proposal from B&L for "Akey Landfill Post Closure Monitoring" be approved for a total lump sum of \$33,200.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**N. RESOLVED:** In accordance with the request therefore the Common Council approves Contract # 2013-21 "15% Sodium Hypochlorite – Trade Solution for the Water Pollution Control Plant & Water Filtration Plant" be awarded to Surpass Chemical Company, Inc. for an estimated total price of \$95,760.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**O. RESOLVED:** In accordance with the request therefore the Common Council approves Contract # 2013-22 "30% Sodium Thiosulfate for the Water Pollution Control Plant" be awarded to Thatcher Company of NY for an estimated total price of \$71,189.90.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**P. RESOLVED:** In accordance with the request therefore the Common Council approves Contract # 2013-23 "Liquid Alum for the Water Pollution Control Plant" be awarded to Slack Chemical Company for an estimated total price of \$15,378.44.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**Q. RESOLVED:** In accordance with the request therefore the Common Council approves Contract #2014-02 "Soil Borings for Underground Projects" be awarded to Atlantic Testing for the lump sum price of \$5,830.



By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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**R. RESOLVED:** In accordance with the request therefore the Common Council approves the City Chamberlain to pay the \$1,000 supplemental pay or stipend to each City manager provided for in the 2014 adopted budget.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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#### 8. TRAVEL REQUEST:

**A. RESOLVED:** In accordance with the request therefore the Common Council approves one Police Officer to attend the "TASER X26/X26P & X2 Instructor Course" in South Burlington, VT from February 12-13, 2014 and the cost will not exceed \$442 and will be expensed to the Asset Seizure Fund, training expenses.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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9. ORDINANCES:

A. Section 257-12B of the City Code is amended to adopt the following fee schedule for water meters:

Water meter size	Fee to furnish, install & maintain*			
5/8"	1 <sup>st</sup>	\$320	2 <sup>nd</sup>	\$370
3/4"	1 <sup>st</sup>	\$350	2 <sup>nd</sup>	\$400
1"	1 <sup>st</sup>	\$490	2 <sup>nd</sup>	\$540
1 1/2"	1 <sup>st</sup>	\$640	2 <sup>nd</sup>	\$690
2"	1 <sup>st</sup>	\$815	2 <sup>nd</sup>	\$865

\*The cost of furnishing an Encoded Receiver Transmitter (ERT) or other remote reading device for each meter is included in the fee, but not the cost of installation which is at the owner's expense.

**RESOLVED:** That this ordinance shall take effect immediately upon approval by the Mayor and publication of the ordinance, or a summary thereof, one time in the official newspaper of the City of Plattsburgh.

By Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_

Discussion:

Roll call: Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**ACTION TAKEN:** Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_ Tabled \_\_\_\_\_

Follow up Action:

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10. RESOLUTIONS FOR INITIAL CONSIDERATION: None

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11. NEW BUSINESS:

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**11. CLOSING PUBLIC COMMENTS:**

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Motion to Adjourn by Councilor \_\_\_\_\_; Seconded by Councilor \_\_\_\_\_  
Roll call Councilors Armstrong, Kelly, Dowdle, O'Connell, Kasper, Kretser

**MEETING ADJOURNED:** \_\_\_\_\_

## PLATTSBURGH CITY MARINA EVALUATION OF RESPONSES TO RFP

January 15, 2014

to: Common Council of the City of Plattsburgh

from: RFP evaluation committee consisting of: City Staff: Clute, Farrington, Peters; City Elected officials: Calnon, Kretser, Armstrong; Citizens: Perry, Sajor

The above committee met on January 13, 2014 to review, discuss and evaluate proposals from Navtours and Plattsburgh Boat Basin.

The RFP that was circulated in 2013 identified the following City objectives::

- To maximize public use and enjoyment of the waterfront.
- To promote the marina, the city and the region.
- To make waterfront improvements that are safe, attractive and of the highest possible quality.
- To establish and operate the facility at no cost to the general fund.
- To provide a high level of maintenance and customer service.

The RFP stated that the Proposal the City determines is most likely to achieve City objectives will be selected.

There follows a summary of the committee consensus on the proposals. Some committee members made other points in discussion and written comments. This summary does not include some of those comments, but the omission is not a judgment on the value of the comment. This matter is on the agenda January 16<sup>th</sup>. Points that are missed in this summary should be brought out in discussion.

### QUALIFICATIONS.

Both companies were judged qualified to develop and operate a marina and related facilities. Both companies (or their parent corporations) have experience in managing water recreation businesses. PBB has more experience and equipment in the operation of the physical components of a marina business. Navtours has more experience in marketing and customer relations. The City marina will not offer boat launching, storage, fueling or boat repairs, therefore, experience and equipment in providing such services is not necessary. Both companies appear to be capable of meeting financial requirements. The financial requirements and resources for the project will be explored in depth when bids are obtained and an operating agreement is prepared.

### THE RFP EVALUATION CRITERIA

*A. To maximize public use and enjoyment of the waterfront.*

- Three factors:
  - accommodate transient boaters
  - provide water recreation opportunities not presently available
  - provide ancillary land based recreation facilities and service
- The Navtours proposal:
  - identifies dedicated transient boat slips and moorings
  - accommodates and markets vessels for charter by the public for daily or longer use
  - identifies other recreation concessions and potential operators for small water craft rental, bicycle rental, fishing charters, sailing instruction programs.
- The PBB proposal:
  - Does not address transient boaters specifically. The PBB marina website includes no information on transient boat accommodations.
  - indicates a willingness to attempt to attract vendors for small boat and bicycle rentals
- Both proposals recognize the city's desire to accommodate fishing tournaments. PBB proposes a separate dock for such events. Navtours believes tournaments can be accommodated by temporarily relocating 22 boats under its control. R Perry, former city employee and tournament coordinator, expressed the view that an increase in docks and moorings will make the waterfront less accessible for tournament participants, but in conjunction with Wilcox Dock should be manageable. Neither concept for accommodating tournaments had a clear advantage.

*COMMITTEE CONSENSUS: NAVTOURS PROPOSAL OFFERS A BROADER RANGE OF PUBLIC RECREATION SERVICES AND FACILITIES. NAVTOURS CORE BUSINESS (SAILBOAT CHARTERS) PROVIDES AN INCENTIVE TO DEVELOP SUCH SERVICES FOR ITS CUSTOMERS AND THE PUBLIC. PBB'S CORE BUSINESS (SEASONAL SLIP AND MOORING RENTALS) DOES NOT BENEFIT FROM SUCH ANCILLARY AND marginally PROFITABLE SERVICES AND IT SEEMS THERE IS LITTLE ENTHUSIASM FOR PROVIDING THEM.*

*B. To promote the marina, the city and the region.*

- Navtours has a broad and sophisticated marketing plan that encompasses boat show promotions, television, direct mail, social media marketing, a current and attractive website.
- Navtours core business makes it necessary to market Plattsburgh and Lake Champlain as a sailing destination. Its marketing plan ties into the Chamber of Commerce Adirondack Coast promotion.
- Some Navtours customers return each year, but most are first time visitors which benefits Plattsburgh and the region.
- PBB has a strong demand for boat space and does little to market its business. Its website is dated and uninformative. It is not bi lingual which is surprising given its customer base. Historically it has provided little information to its customers about what Plattsburgh or the region has to offer and there is no reason to believe this will change.

*COMMITTEE CONSENSUS: NAVTOURS HAS A MUCH SUPERIOR MARKETING PLAN AND THAT ATTRACTING NEW VISITORS TO PLATTSBURGH AND THE REGION IS A VERY IMPORTANT OBJECTIVE IN ESTABLISHING A CITY MARINA.*

*C. To make waterfront improvements that are safe, attractive and of the highest possible quality*

Plattsburgh City Marina will be a city owned facility. Since the City will have potential liability, it is important that the moorings and docks be designed and constructed in accordance with accepted design standards.

## **DOCKS AND MOORINGS**

- Navtours proposes manufactured mooring components and dock construction and spacing specifications prepared by design professionals.
- PBB does not describe the proposed mooring system. We understand the mooring system consists of a concrete block, steel chain and mooring buoy.
- PBB offers dock construction alternatives; constructed in house or manufactured.
- Navtours' proposal includes an engineer designed a mooring plan. Navtours has filed state and federal permit applications for moorings and docks.
- PBB does not present a mooring plan, but PBB's current moorings do not appear to follow a discernible pattern. To the best of our knowledge, PBB does not have mooring permits from NYS or the US Army Corps for its present mooring field.

*COMMITTEE CONSENSUS: NAVTOURS' PROPOSAL PROVIDES GREATER ASSURANCE THAT THE BOAT MOORING AND DOCKING FACILITIES WILL BE CONSTRUCTED AND SPACED TO MINIMIZE THE RISK OF DAMAGE OR INJURY TO PROPERTY AND PERSONS. THE EXISTING PBB MARINA FACILITIES INCLUDE THE USE OF BARRELS AS FLOTATION DEVICES TO SAVE MONEY, DOCKS ARE CLOSELY SPACED AND FAIRWAYS ARE NARROW; THE EQUIPMENT AND LAYOUT PLACES A HIGHER PRIORITY ON PROFIT THAN CUSTOMER SAFETY AND CONVENIENCE.*

## **BUILDING**

The tour boat building requires major repairs and some interior use alterations to make it usable and functional. Both parties propose similar uses: food service, bathrooms, showers and laundry for boaters, office space.

- Navtours proposes substantially revising the building floor plan, changing window and door openings and renovations to the building exterior.
- It also proposes space for a **Waterfront Welcome Center**.
- Navtours presents engineer designed plans and estimates building improvement costs at 150k.
- PBB keeps the basic floor plan and makes minimal exterior changes except for construction of an outdoor dining pavilion. PBB does not provide an improvement cost estimate.
- The building improvements will have to be competitively bid and are subject to prevailing wage requirements.

*COMMITTEE CONSENSUS: ALTHOUGH THE COST OF THE TWO PROPOSALS CANNOT BE ESTIMATED WITH ACCURACY UNTIL THE WORK IS BID, NAVTOURS PROPOSES MORE EXTENSIVE RENOVATIONS, PARTICULARLY TO THE BUILDING FENESTRATION AND EXTERIOR WHICH IS THE PUBLIC FACE OF THE PROPERTY. NAVTOURS HAS DEMONSTRATED ITS WILLINGNESS AND ABILITY TO WORK WITH GOVERNMENT REGULATIONS AS EVIDENCED BY ITS MOORING AND DOCKING APPLICATION TO STATE AND FEDERAL AGENCIES WHICH WAS PREPARED WITH MINIMAL CITY ASSISTANCE. THE BUILDING IMPROVEMENTS AND EQUIPMENT PURCHASES WILL REQUIRE COMPLIANCE WITH STATE LAWS ON COMPETITIVE BIDDING AND PREVAILING WAGES AND THE RESPONSIBILITY FOR MEETING THESE REQUIREMENTS WILL REST PRIMARILY WITH THE DEVELOPER. NAVTOURS IS MORE LIKELY TO BE RESPONSIBLE IN MEETING THESE REQUIREMENTS.*

*D. To establish and operate the facility at no cost to the general fund.*

- Both Navtours and PBB propose to pay all capital and operating costs.
- Respondents were asked to make a financial offer as percentage of gross revenue.
- PBB offers to pay 15-25% of gross revenue.
- Navtours offers to pay 10% of gross revenue.
- PBB is offering substantially more money, however, the offer has to be evaluated in the context of:
  - the cost and quality of the equipment and building improvements
  - the number of transient spaces which have a much less certain income stream
  - the level of staffing and services to customers and the public

*COMMITTEE CONSENSUS: PBB'S OFFER IS FINANCIALLY MORE ADVANTAGEOUS TO THE CITY.*

*E. To provide a high level of maintenance and customer service*

A prime objective of the Plattsburgh City Marina is to have a facility that will attract visitors and cause them to return. A high level of maintenance and customer service is essential for this to occur. There is no objective basis for measuring what both parties offer, much less how they will perform. An assessment of this factor requires judgment based in part on past experience, impressions and a sense of what motivates a party.

- Navtours core business is chartering sailboats. The success of this business requires a very high level of customer satisfaction and a well maintained facility.
- Most marina customer's first language is French. Navtours' principals speak French and it is reasonable to assume its service staff will. Navtours proposal includes a staffing plan.
- PBB's core business is renting slips and moorings, moving docks and boats and marine repairs. It has operated successfully for several years, but this type of business does not require a high level of customer service.
- PBB does not include a staffing plan in this proposal (there was a plan in the previous RFP response, but it may be outdated). PBB's marina staff will presumably supplement City

marina staff, but the extent to which it will rely on help next door is not known. PBB's financial offer probably reflects lower staffing costs.

- The PBB marina raises a concern about sensitivity to customer needs and a conflict between city interests and PBB interests. PBB does not provide adequate and convenient on site parking for its customers. Customer parking spaces are occupied by boats stored year round. PBB has located moorings in the city offshore area and stored boats that encroach on city property. The City has not objected, but permission was never requested.
- The city marina operator will be required to assist with enforcing parking regulations to assure convenient space is available for park goers. This will cause a conflict with PBB and Naked Turtle customers.

*COMMITTEE CONSENSUS: NAVTOURS WILL PROVIDE A MUCH HIGHER LEVEL OF PROPERTY MAINTENANCE AND CUSTOMER SERVICE.*



**Plattsburgh City Marina  
Evaluation of Responses to RFP  
A Minority Report 1  
Josh Kretser and Rick Perry**

Though we appreciate the efforts of both Plattsburgh Boat Basin and NavMarine Management in their responses to the City Marina RFP, neither proposal meets the desired outcome we feel is most beneficial to the residents of the City of Plattsburgh. The following summarizes our concerns.

- The City Marina needs to be part of a comprehensive waterfront development plan that will enhance tourism, as well as a variety of recreational opportunities for its residents.
- Development of a comprehensive waterfront plan should involve the public as well as businesses and organizations (Vision 2 Action, The Chamber of Commerce, The Development Corp, etc.); none of these parties were consulted regarding the marina plan.
- **Rick Perry**, based on extensive experience with fishing tournaments, thinks that development of the City Marina as proposed will negatively impact fishing tournaments. These events are already dependent on other facilities such as Wilcox Dock and The Peru Boat Launch. Further coordination with Wilcox Dock would not achieve a workable plan for the future success of these events.
- The City should not enter into a long-term lease for management of its marina.
- As the City plans for future waterfront use, we support controlled mooring leasing (with the procurement of grant funds) and the controlled use of its water rights.

Rachelle Armstrong  
Joshua Kretser  
Rick Perry  
Andrew Sajor

## City of Plattsburgh Marina Evaluation of Responses to RFP, Minority Report #2

Rachelle Armstrong

I object to both proposals as currently written I will list my points of dissent. Some of them match those stated in *Minority Report 1*, but with qualifying points. I could be persuaded to enter into a limited agreement with one of the proposers for the installation of moorings (if grant money comes through), and if my points of dissent are addressed.

- “The City Marina needs to be part of a comprehensive waterfront development plan that will enhance tourism, as well as a *variety* of recreational opportunities for its *residents*.”
  - I think that by creating a Comprehensive Waterfront Plan first, the City might have avoided skepticism about how the City Marina would serve all of its residents. It is not enough to hear reassurances after putting in place a plan that, for the most part, services large craft. Yes, there is the persuasive idea that the large boats bring in more money for mooring, as well as the possibility of more tourist dollars, but still, many residents feel that this plan excludes their needs (particularly fishermen and small to intermediate craft boaters).
  - Andy Sajor brings up the fact that the waterfront on Dock St. Landing is best suited for large craft; indeed the existing dock was created for *The Spirit of Plattsburgh*. Andy also suggests that Wilcox Dock is better suited as a marina for small crafts, particularly since it is sheltered and boats don’t have to launch into “the teeth of a fierce south wind.” The matter of planning is not insignificant when considering public opposition to the marina. Perhaps, the public needs to feel confident that such plans are possible before signing off the on marina; perhaps what we have here is a crisis of confidence on the part of a citizenry who has seen projects go awry. Better planning as well as more transparency and better public relations might have paved the way for consensus on the marina.
- Development of a comprehensive waterfront plan should involve the public as well as businesses and organizations (Vision 2 Action, The Chamber of Commerce, etc.).
  - I would add that regardless of the current marina project’s fate, coordinated and comprehensive planning needs to begin as soon as possible.
- I question the following aspect of Mr. Clute’s committee summary: “Both companies appear to be capable of meeting financial requirements. *The financial requirements and resources for the project will be explored in depth when bids are obtained and an operating agreement is prepared.*”
  - I have a concern regarding this point. One what basis was this conclusion drawn? Some on the Committee endorsed NavMarine as reflected in the summary. However, since the NavMarine Management has reorganized

within the last two months, I think it is reasonable for them to provide clarification regarding their financial capabilities. Though I have received verbal assurances both proposers, I would like concrete evidence. I take particular exception to the notion that financial disclosures would be required *after* the developer's selection.

- How will marina construction impact the fishing tournaments, events that bring hundreds of tourists from all over the US into our area? I think that the City will need to work very hard to work with tournament organizers to restore their faith. Their concerns were given short shrift and even mischaracterized in the original summary. Rick Perry has serious and persistent concerns, and they must be addressed prior to signing a contract with a developer. Concrete plans for accommodations that they would find acceptable are essential. Again, Andy Sajor has some ideas concerning how such a plan would be laid out. Perhaps he and Rick could work together to reach a mutually satisfying agreement.
- The City should not enter into a long-term lease for management of its marina. I believe that Mayor Calnon even suggested that a shorter -term agreement with provisions for renewal based on a set of performance requirements might be an appropriate safeguard.
- As the City plans for future waterfront use, we support controlled mooring leasing (with the procurement of grant funds) and the controlled use of its water rights.
  - I could be persuaded to enter into a limited agreement with one of the proposers for the installation of moorings (if grant money comes through), and if my points of dissention are addressed.